

MASSOOD & BRONSnick, LLC

50 Packanack Lake Road East
Wayne, New Jersey 07470-6663
(973) 696-1900
Attorneys for: Plaintiffs

THE AGRESTA FIRM PC

24 Grand Ave
Englewood, NJ 07631
(201) 399-6891
Attorneys for: Plaintiff

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MONTVALE SURGICAL CENTER, LLC
A/S/O various "PATIENTS",

Plaintiffs(s),

v.

CONNECTICUT GENERAL LIFE
INSURANCE COMPANY D/B/A CIGNA,
CIGNA HEALTHCARE OF NEW
JERSEY, INC.; ABC CORP. (1-10) (Said
names being fictitious and unknown
entities),

Defendant(s),

CIVIL ACTION NO.: 2:12-cv-05257-SRC-CLW

**NOTICE OF MOTION FOR LEAVE TO
FILE A SECONDAMENDED COMPLAINT**

TO: E. Evans Wohlforth, Esq.
Gibbons, P.C.
One Gateway Center
Newark, NJ 07102
Attorneys for Defendants

Massood & Bronsnick, LLC
Attorneys at Law

PLEASE TAKE NOTICE that the undersigned counsel and co-counsel for Montvale Surgical Center, LLC a/s/o various "PATIENTS", shall move before the Honorable Cathy L. Waldor, U.S.M.J., at the United States District Court for District of New Jersey, M.L. King Jr.,

Federal Building and U.S. Courthouse, 50 Walnut Street, Newark, NJ, for entry of an Order granting Plaintiff leave to file a Second Amended Complaint.

PLEASE TAKE FURTHER NOTICE that, in support of this Motion, the Plaintiffs rely on the proposed Second Amended Complaint annexed to the Certification of Andrew R. Bronsnick, Esq. dated June 17, 2014 as Exhibit "A". A Proposed Form of Order is submitted herewith. The allegations made in the Second Amended Complaint include counts under ERISA based upon the fact that the Connecticut General Life Insurance Company d/b/a Cigna Healthcare of New Jersey, Inc. is an ERISA qualified plan. Counts for a State Claim, Promissory Estoppel, Negligent Misrepresentation, and Breach of Contract have been added, as well. Additionally, Anthony K. Modafferi, III of The Agresta Firm, P.C. has been added as co-counsel for Montvale Surgical Center, LLC.

MASSOOD & BRONSNICK, LLC
Attorneys for Plaintiffs

BY: s/Andrew R. Bronsnick
ANDREW R. BRONSNICK, ESQ.

Dated: June 17, 2014

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